

EXHIBIT A



Department of Motor Vehicles

Protection of Department Records	
Approved by	DMV Executive Management
Policy Owner/Organization	Office of Integrity
Author(s)	Deputy Commissioner for Integrity
Concise Description	Appropriate use of Department records
Audience	All DMV employees, including all individuals employed by DMV, county employees, ITS staff, contractors, vendors, consultants, and interns.
Introduction	Protecting department records from unauthorized access, modification, or disclosure.
<p>Policy Statements</p> <p>The Department of Motor Vehicles maintains records that contain a variety of information, including personal information related to our customers, which is protected by law. All employees of the Department are obligated to protect Department records and the information contained within those records from unauthorized access, modification, or disclosure.</p> <p>Business Purpose</p> <p>Department employees must have a specific Department business purpose to access or modify a Department record.</p> <p>Examples of "Business Purpose":</p> <ol style="list-style-type: none"> 1. A DMV employee is concerned that her daughter received a traffic ticket the previous weekend. Can she check the COMPASS record of her daughter? Answer: No, the access is not for a Department business purpose. 2. A DMV employee is curious whether a traffic conviction from several years ago remains on his record. Can he look up his record on COMPASS? Answer: No, the access is not for a Department business purpose. This employee should open a MyDMV account and request his driver abstract. 3. The DMV employee's favorite baseball team drafted the local high school star. Can the employee access the player's COMPASS record to obtain his home address so that he can send a congratulatory card? Answer: No, the access is not for a Department business purpose. 4. A local attorney contacts the Department's Legal office to discuss a pending matter. Can the DMV attorney access the COMPASS record concerning the subject of the pending matter? 	



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Answer: Yes, the access is necessary to facilitate a substantive communication about the pending matter – a Department business purpose.

5. A County Clerk receives a call from the local party chairperson and is asked for the birth date of a county court judge so that he can send her a birthday card. Can the clerk access the judge's COMPASS record?

Answer: No, the access is not for a Department business purpose.

6. A DMV employee's fiancé believes that the local town court improperly imposed a driving restriction on his license. Can the employee access his record and change it to remove the restriction?

Answer: No, the employee is prohibited from accessing and/or modifying the record because her purpose is personal – not departmental.

7. A DMV employee is having a disagreement with her ex-husband over child support and use of income tax deductions. Can the DMV employee access the records of her ex-husband, their children and the ex-husband's girlfriend?

Answer: No, the employee is prohibited from accessing these records because her purpose is personal – not departmental.

Should you have any questions concerning the application of this policy, including whether an anticipated access or modification of a Department record is for Department business purpose, you must discuss your concerns with your supervisor.

Release of Information

Certain information within Department records is given heightened protection from unauthorized disclosure. Pursuant to the federal Driver's Privacy Protection Act (DPPA) a customer's "personal information", defined as an individual's photograph, social security number, client identification number, name, address, telephone number and medical information, shall not be disclosed unless the requestor can demonstrate a "permissible use". Prior to the release of any personal information, the DPPA must be reviewed to ensure that a permissible use exists. The DPPA, including a description of all "Permissible Uses", can be viewed here: <https://dmvintranet.dmv.state.ny.us/content/dppa-law>

In addition, the Department has expanded the definition of personal information, pursuant to State Technology Law (Information Security and Breach Notification Act) and the standards established by the Payment Card Industry, to include customer's account number or credit/debit card number. All employees are prohibited from unauthorized release, disclosure, sharing or distribution of a customer's financial account information or credit/debit card number.

A DMV employee who knowingly obtains, discloses or uses personal information from a DMV record for an unauthorized use shall be subject to personal liability in any civil



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actions brought by the person whose information was accessed and used, including any criminal penalties, fines and/or disciplinary action.

Use of Email

Under no circumstances shall a Department employee use email to transmit, release, disclose, share or distribute a customer's financial account information or credit/debit card number.

Unauthorized searches, access, modification, release, disclosure, sharing or distribution of a Department record or personal information by DMV employees may result in counseling, disciplinary action and/or referral for criminal prosecution.

Governing Policies, Standards, Regulations, or Statutes	Driver's Privacy Protection Act (18. U.S.C. §2721 et. seq.); NYS Information Technology, Information Security Policy NYS-P03-002 Updated 10/17/2014 ; General Business Law §399-dd;399-h(1)(c),(d),(e); 899-aa(1)(a)(b); State Technology Law §202(5); 208(1)(a).
DMV Procedures/Standards/Related Policies	Personal, Private and Sensitive Information Definition; Employee Handbook §§ 3.4, 3.18 and 9.4; Credit Card Information Protection; Computer Use Policy.
Definitions	<p>DMV employees: Includes all individuals employed by DMV, county employees, ITS staff, contractors, vendors, consultants, and interns.</p> <p>Department Business Purpose: activity intended to achieve a goal, objective or benefit to the Department of Motor Vehicles.</p> <p>Access: to search; to look-up.</p> <p>Department Records: Information possessed by the Department, not otherwise available to the general public, including, but not limited to, customer personal information, driving histories, vehicle registration information, and personnel files.</p> <p>Personal Information: Individual's photograph, social security number, client identification number, name, address, telephone number and medical information, and financial account information, credit and debit card account information and numbers.</p>
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NOTE: Use Arial Font for Policy Statement information,